

1 BILL NO. Z-78-08-09

2 ZONING MAP ORDINANCE NO. Z-23-78

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. S-14.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby desig-  
8 nated a R3 District under the terms of Chapter 33, Municipal Code of the  
9 City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort  
10 Wayne Zoning Map No. S-14, referred to therein, established by Section 33-11,  
11 of said Chapter are hereby changed accordingly, to wit:

12 Part of the East Half of the Southeast Quarter of  
13 Section 32, Township 31 North, Range 13 East, in  
14 Allen County, Indiana, described as 5 separate  
tracts on exhibits, as follows:

15 Exhibit A - Swift

16 Five (5) acres in the East one-half of the South-  
17 east Quarter of Section 32, Township 31 North,  
Range 13 East, in Allen County, Indiana, being  
more particularly described as follows, to wit:

18 Beginning at a point on the North line of the East  
19 one-half of the Southeast Quarter of Section 32,  
20 Township 31 North, Range 13 East, in Allen County,  
21 Indiana, said point being located 457 feet West of  
22 the Northeast corner of the said East one-half of  
23 the Southeast Quarter of said Section 32, Township  
24 31 North, Range 13 East; thence South 0 degrees 10  
25 minutes West, a distance of 962.5 feet; thence  
26 West, a distance of 226.28 feet; thence North 0  
degrees 10 minutes East, a distance of 962.5 feet  
to the aforementioned North line of the East one-  
half of the Southeast Quarter of Section 32, Town-  
ship 31 North, Range 13 East; thence East along  
the said North line of the East one-half of the  
Southeast Quarter of said Section 32, a distance  
of 226.28 feet to the place of beginning; contain-  
ing 5 acres of land more or less;

27 EXCEPT the North 40 feet thereof appropriated for  
28 widening of State Street under Declaratory Resol-  
ution Number 1295-1970;

29 ALSO EXCEPT that part thereof dedicated for widen-  
30 ing of State Street by instrument recorded as  
Document No. 76-15170.

31 Exhibit B - Cuttitta

32 The West 90.50 feet of the East 457.0 feet of the

APPROVED AS TO FORM  
AND LEGALITY,

7100

1 North 481.25 feet of the East 1/2 of the South-  
2 east 1/4 of Section 32, Township 31 North, Range  
3 13 East in Allen County, Indiana.

4 Exhibit C - Brockman

5 1.00 acre of land in the East Half of the South-  
6 east Quarter of Section 32, Township 31 North,  
7 Range 13 East, in Allen County, Indiana, described  
8 as follows, to wit:

9 Beginning at a point on the North line of the East  
10 Half of the Southeast Quarter of Section 32, Town-  
11 ship 31 North, Range 13 East, the said point being  
12 situated 185.5 feet West of the Northeast corner  
13 of the East Half of the Southeast Quarter of Section  
14 32, Township 31 North, Range 13 East; thence South  
15 10 minutes West a distance of 485.1 feet; thence  
16 West a distance of 90.5 feet; thence North 10  
17 minutes East a distance of 485.1 feet to the said  
18 North line of the East Half of the Southeast Quarter  
19 of Section 32, Township 31 North, Range 13 East;  
20 thence East along the said North line of the East  
21 Half of the Southeast Quarter of Section 32, Town-  
22 ship 31 North, Range 13 East a distance of 90.5  
23 feet to the place of beginning.

24 Exhibit D - Brockman

25 One acre of land in the East half of the Southeast  
26 quarter of Section 32, Township 31 North, Range 13  
27 East, in Allen County, Indiana, described as  
28 follows: Beginning at a point on the North line  
29 of the East half of the Southeast quarter of  
30 Section 32, Township 31 North, Range 13 East, in  
31 Allen County, Indiana, the said point being situ-  
32 ated 276 feet West of the Northeast corner of the  
East half of the Southeast quarter of Section 32,  
Township 31 North, Range 13 East; thence South 10  
minutes West, a distance of 485.1 feet; thence  
West, a distance of 90.55 feet thence North 10  
minutes East, a distance of 485.1 feet to the  
North line of the East half of the Southeast Quar-  
ter of Section 32, Township 31 North, Range 13  
East; thence East along the said North line of the  
East half of the Southeast quarter of Section 32,  
Township 31 North, Range 13 East, a distance of  
90.5 feet to the point of beginning, containing  
one acre of land, more or less, known as 4628 E.  
State Blvd., Fort Wayne, Indiana.

33 Exhibit E - Daugherty

34 1.08 acres of land in the east half of the south-  
35 east quarter of Section 32, Township 31 North,  
36 Range 13 East, in Allen County, Indiana, described  
37 as follows, to wit:

38 Beginning at the Northeast corner of the East half  
39 of the southeast quarter of Section 32, Township  
40 31 North, Range 13 East in Allen County, Indiana;  
41 thence South 10 minutes West along east line of  
42 the said east half of the southeast quarter of

Section 32, Township 31 North, Range 13 East, a distance of 485.1 feet; thence west a distance of 95.0 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the said east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence east along the said north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 95.0 feet to the place of beginning, containing 1.08 acres of land, more or less.

1.00 acre of land in the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, described as follows, to wit:

Beginning at a point on the north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, the said point being situated 95.0 feet west of the northeast corner of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence west a distance of 90.5 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence East along the said north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning, containing 1.00 acre of land, more or less.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

  
Councilman

Read the first time in full and on motion by V. Schmidt, seconded by

Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-8-78

Charles W. Waterman  
CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~FOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 10-24-78

Charles W. Waterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (RESOLUTION) No. 3-23-78 on the 24th day of October, 1978.  
ATTEST: (SEAL)

Charles W. Waterman  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1978, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Waterman  
CITY CLERK

Approved and signed by me this 26th day of October, 1978, at the hour of 11 o'clock A. M., E.S.T.

Kathleen Schumacher  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 8, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-08-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 21, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 28, 1978.

Certified and signed this  
9th day of October, 1978.

A handwritten signature in dark ink, appearing to read "Luben Lazoff", written in a cursive style.

Luben Lazoff  
Secretary

Bill No. Z-78-08-09

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. S-14

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

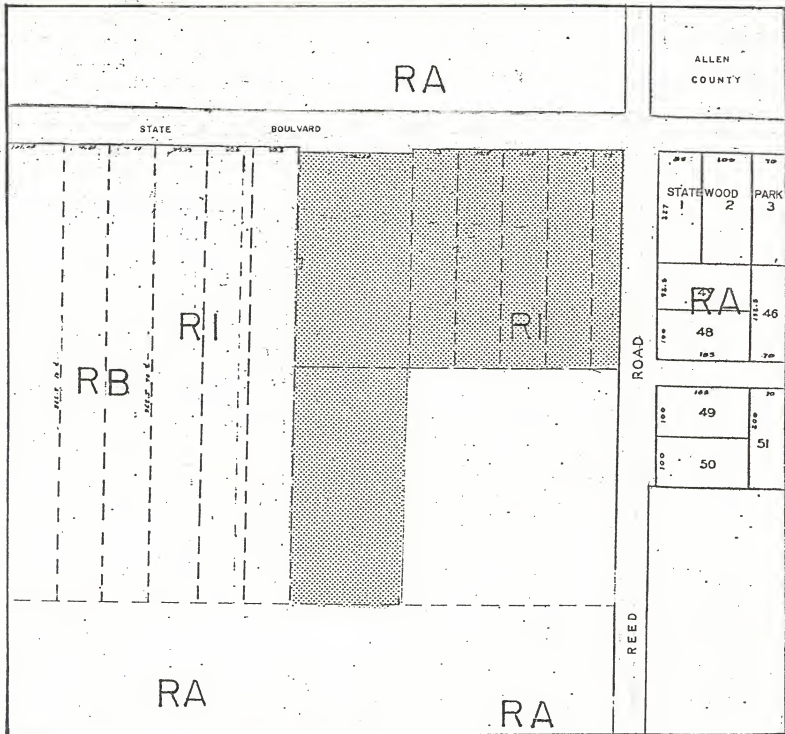
DONALD J. SCHMIDT

JAMES S. STIER

*Vivian G. Schmidt*  
*John Nuckols*  
*William T. Hinga*  
*DJ Schmidt*

10-24-78  
DATE \_\_\_\_\_ CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK





REZONE FROM RI TO R3  
MAP NO. S-14

Z-78-08-09

BY M.F.C. 7-27-73





TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANADate Filed July 21, 1978

Intended Use \_\_\_\_\_  
 William D. Swift as attorney for William D. Swift, Trustee, Bruce Cuttitta  
 I/~~we~~ and Jane Cuttitta, Wayne Brockman, and Richard Daugherty and Theresa  
 Daugherty (Applicant's Name or Names)  
 do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,  
 by reclassifying from ~~a~~/an R-1 district to ~~a~~/an R-3 district the  
 property described as follows:

Part of the East Half of the Southeast Quarter of Section 32, Township

31 North, Range 13 East, in Allen County, Indiana, described as 5separate tracts on exhibits attached hereto and made a part hereof.SwiftExhibit ACuttittaExhibit BBrockmanExhibits C & DDaugherty

(Legal Description)

(General Description for Planning Staff Use Only)

I/~~we~~, the undersigned, certify that I am/~~we are~~ the owner(s) of fifty-one percentum  
 (51%) or more of the property described in this petition.

William D. Swift, Trustee 590 Lincoln Tower  
Fort Wayne, IN  
Bruce Cuttitta and Jane 4622 E. State Blvd.  
Cuttitta, husband & wife Fort Wayne, IN

Wayne Brockman Fort Wayne, IN  
Richard Daugherty and Theresa 2117 Reed Road  
Daugherty, husband & wife Fort Wayne, IN  
 (Name) (Address) (Signature)

Legal Description Checked By: \_\_\_\_\_

(City Engineer)

## NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

William D. Swift 590 Lincoln Tower  
Fort Wayne, IN  
 (Name) (Address)

423-4422  
 (Telephone Number)

EXHIBIT 'A

Five (5) acres in the East one-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, being more particularly described as follows, to-wit:

Beginning at a point on the North line of the East one-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, said point being located 457 feet West of the Northeast corner of the said East one-half of the Southeast Quarter of Said Section 32, Township 31 North, Range 13 East; thence South 0 degrees 10 minutes West, a distance of 962.5 feet; thence West, a distance of 226.28 feet; thence North 0 degrees 10 minutes East, a distance of 962.5 feet to the aforementioned North line of the East One-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East one-half of the Southeast Quarter of said Section 32, a distance of 226.28 feet to the place of beginning; containing 5 acres of land more or less;

EXCEPT the North 40 feet thereof appropriated for widening of State Street under Declaratory Resolution Number 1295-1970;

ALSO EXCEPT that part thereof dedicated for widening of State Street by instrument recorded as Document No. 76-15170.

# 76-2559  
(Cuttitta)

EXHIBIT B

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

76- 02559

Tax Info:

Grantee  
4622 E. State Boulevard  
Fort Wayne, Indiana

WARRANTY DEED

This indenture witnesseth that BRUCE F. CUTTITTA, married and being above the age of eighteen (18) years

of ALLEN County in the State of INDIANA

Convey and warrant to BRUCE F. CUTTITTA and JANE CUTTITTA  
husband and wife

of ALLEN County in the State of INDIANA  
for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration  
the receipt whereof is hereby acknowledged, the following Real Estate in ALLEN County  
in the State of Indiana, to wit:

The West 90.50 feet of the East 457.0 feet of the North 481.25 feet of the East  
1/2 of the Southeast 1/4 of Section 32. Township 31 North, Range 13 East in  
Allen County, Indiana.

1976 FEB -4 AM 11:40  
ALLEN COUNTY RECORDER  
J. E. [Signature]

State of Indiana, ALLEN County, ss:  
Before me, the undersigned, a Notary Public in and for said County  
and State, this 30th day of January, 1976  
personally appeared:

BRUCE F. CUTTITTA, married and being  
above the age of eighteen (18) years

Dated this 30th Day of January 19 76

*Bruce F. Cuttitta* Seal  
BRUCE F. CUTTITTA Seal

DULY ENTERED FOR TAXATION  
FEB 4 1976 Seal

EXHIBIT B (Page 2)

1/2 of the Southeast 1/4 of Section 32, Township 31 North, Range 13 East in Allen County, Indiana.

1916 FEB -4 AM 11:40  
ALLEN COUNTY RECORDER  
*Jane C. Shultz*

State of Indiana, ALLEN County, ss:  
Before me, the undersigned, a Notary Public in and for said County and State, this 30th day of January 19 76 personally appeared:

BRUCE F. CUTTITTA, married and being above the age of eighteen (18) years

Dated this 30th Day of January 19 76

*Bruce F. Cuttitta* Seal  
BRUCE F. CUTTITTA

DULY ENTERED FOR TAXATION Seal  
FEB 4 1976 Seal

*Jan L. Metelkaer* Seal  
AUDITOR OF ALLEN COUNTY Seal

Instrument 12,934 Seal



Witness the execution of the foregoing deed. In witness whereunto subscribed my name and affixed my of- fice seal this 4/21 19 76

*Thomas J. Dixon*  
Thomas J. Dixon Notary Public

This instrument prepared by Thomas J. Dixon - Nieter, Dixon & Whitmore Attorney at Law  
222 Utility Building, Fort Wayne, Indiana

MAIL TO: Nieter & Dixon Box

COPYRIGHT THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC. 1957

76

2559

#73-7627

(Brockman)

EXHIBIT C

73 07627

EXECUTOR'S DEED

Arthur C. Bobay, as Executor of the Last Will and Testament of Emmet J. Bobay, Deceased, by Order of the Allen Superior Court of Allen County, Indiana, entered in Order Book 4, on the records of said Court, on the page 262, for and in consideration of the sum of \$8,000.00, conveys to Wayne Brockman of Allen County, Indiana, the real estate described as follows, to-wit:

1.00 acre of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, the said point being situated 185.5 feet West of the Northeast corner of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence West a distance of 90.5 feet; thence North 10 minutes East a distance of 485.1 feet to the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East a distance of 90.5 feet to the place of beginning.

Subject to the taxes upon said real estate payable in the year 1973, to all subsequent taxes, and to all restrictions, limitations and easements of record.

Dated this 25th day of October, 1972.

DULY ENTERED FOR TAXATION

APR - 3 1973

*Dwight E. Ransom*  
AUDITOR OF ALLEN COUNTY

*Arthur C. Bobay*  
(Arthur C. Bobay) as Executor of the Last Will and Testament of Emmet J. Bobay, Deceased

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, a Notary Public in and for said County and State, this 25th day of October, 1972, personally appeared Arthur C. Bobay, as Executor of the Last Will and Testament of Emmet J. Bobay, Deceased, and acknowledged the execution of the foregoing Executor's Deed for the uses and purposes therein set

forth.

Witness my hand and Notarial Seal.

My Commission Expires:  
January 7, 1976

*Barbara S. Richardson*  
(Barbara S. Richardson) Notary Public

This instrument was prepared by George Kowalczyk, Attorney-at-law, 221 West Wayne Street, Fort Wayne, Indiana.

Examined and approved in open court this 25th day of October, 1972.

*Frank J. Cuthbert*  
Judge of Allen Superior Court

## EXHIBIT D

## WARRANTY DEED

4408 E. State Blvd.

This indenture witnesseth that CAROL E. HEYN SHACKELFORD, over the  
age of twenty-one years,

of Allen County in the State of Indiana

Conveys and warrants to WAYNE BROCKMAN

of Allen County in the State of Indiana  
for and in consideration of Twenty-five thousand (\$25,000.00) Dollars  
the receipt whereof is hereby acknowledged, the following Real Estate in Allen County  
in the State of Indiana, to wit:

One acre of land in the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows: Beginning at a point on the North line of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, the said point being situated 276 feet West of the Northeast corner of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West, a distance of 485.1 feet; thence West, a distance of 90.55 feet thence North 10 minutes East, a distance of 485.1 feet to the North line of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East half of the Southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the point of beginning, containing one acre of land, more or less, known as 4628 E. State Blvd., Fort Wayne, Indiana.

Subject to taxes payable in May of 1971 and thereafter.

Subject to all visible easements and recorded easements and restrictions and zoning provisions of the City of Fort Wayne.

State of Indiana, Allen County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this day of June 1970 personally appeared:

Carol E. Heyn Shackelford, over  
the age of twenty-one years,

REAL ESTATE TRANSFER  
VALUATION AFFIDAVIT FILED

Walter H. Summers  
AUDITOR, ALLEN COUNTY

And acknowledged the execution of the foregoing deed, in witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires 1971

Walter H. Summers  
Notary Public

Dated this 2nd Day of June 1970

Carol E. Heyn Shackelford Seal  
Carol E. Heyn Shackelford

Seal

DULY ENTERED FOR TAXATION

Seal

JUN - 4 1970

Seal

Walter H. Summers  
AUDITOR OF ALLEN COUNTY

Seal

Seal

This Instrument was prepared by

JOHN E. HOFEMAN

Member of

Allen County Indiana Bar Association

Instrument D 207!



# 72-26590

(Daugherty)

## EXHIBIT E

## WARRANTY DEED

772 26590

5152

THIS INDENTURE WITNESSETH that HERBERT L. BOBAY and ADEL BOBAY, husband and wife, both over the age of 21 years, of Charlotte County, in the State of Florida, Convey and Warranty to RICHARD DAUGHERTY and THERESA DAUGHERTY, husband and wife, of Allen County, in the State of Indiana, for and in consideration of One Dollar and Other Valuable Consideration, the receipt whereof is hereby acknowledged, the following real estate in Allen County, in the State of Indiana, to-wit:

1.08 acres of land in the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at the Northeast corner of the East half of the southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana; thence South 10 minutes West along east line of the said east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 485.1 feet; thence west a distance of 95.0 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the said east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence east along the said north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 95.0 feet to the place of beginning, containing 1.08 acres of land, more or less.

1.00 acre of land in the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, the said point being situated 95.0 feet west of the northeast corner of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence west a distance of 90.5 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East; thence East along the said north line of the east half of the southeast quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning, containing 1.00 acre of land, more or less.

Subject to the taxes payable in May, 1973 and thereafter.

Grantor, Herbert L. Bobay, represents that Esther.

A. Bobay died on the 27 day of May, 1967, and that at the time of her death she was married to and was living with him and he was her surviving husband.

FILED FOR TAXATION

NOV 29 1972

NOV 29 1972

ALLEN COUNTY

AUDITOR

ALLEN COUNTY RECORDER

EXHIBIT E (Page 2)

-2-

Dated this 17<sup>th</sup> day of November, 1972.

Herbert L. Bobay (SEAL)  
Herbert L. Bobay

Adel Bobay (SEAL)  
Adel Bobay

State of Florida, Charlotte County, SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 17<sup>th</sup> day of November, 1972, personally appeared Herbert L. Bobay and Adel Bobay, husband and wife, both over the age of 21 years, and acknowledged the execution of the foregoing deed.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

Edna B. B. B.  
Notary Public

My Commission Expires:

My Commission Expires 12/31/73

This instrument prepared by Alton L. Bloom, Attorney-at-Law



RESTRICTIVE COVENANTS

THIS AGREEMENT made this 1st day of September, 1978, by and between WILLIAM D. SWIFT, TRUSTEE, JOHN D. CHRISTMAN, WAYNE BROCKMAN, BRUCE PATTERSON, and RICHARD DAUGHERTY and THERESA DAUGHERTY, husband and wife, (hereinafter referred to "Owners") and the DIVISION OF LONG RANGE PLANNING & ZONING OF THE CITY OF FORT WAYNE (also known as the City Plan Commission) and the COMMON COUNCIL OF THE CITY OF FORT WAYNE (hereinafter collectively referred to as "City"), AND WITNESSETH:

WHEREAS, William D. Swift, Trustee, is the owner of the fee simple title to the following described real estate, to-wit:

Five (5) acres in the East one-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, being more particularly described as follows, to-wit:

Beginning at a point on the North line of the East one-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, said point being located 457 feet West of the Northeast corner of the said East one-half of the Southeast Quarter of said Section 32, Township 31 North, Range 13 East; thence South 0 degrees 10 minutes West, a distance of 962.5 feet; thence West, a distance of 226.28 feet; thence North 0 degrees 10 minutes East, a distance of 962.5 feet to the aforementioned North line of the East One-half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East one-half of the Southeast Quarter of said Section 32, a distance of 226.28 feet to the point of beginning; containing 5 acres of land more or less;

EXCEPT the North 40 feet thereof appropriated for widening of State Street under Declaratory Resolution Number 1295-1970;

ALSO EXCEPT that part thereof dedicated for widening of State Street by instrument recorded as Document No. 76-15170.

WHEREAS, John D. Christman is the owner of the fee simple title to the following described real estate, to-wit:

The West 90.50 feet of the East 457.0 feet of the North 481.25 feet of the East 1/2 of the Southeast 1/4 of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana;

EXCEPT the North 40 feet thereof appropriated for widening of State Street under Declaratory Resolution Number 1295-1970.

WHEREAS, Wayne Brockman is the fee simple owner and Bruce Patterson is the contract purchaser of the following described real estate, to-wit:

1.00 acre of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, the said point being situated 185.5 feet West of the Northeast corner of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence West a distance of 90.5 feet; thence North 10 minutes East a distance of 485.1 feet to the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning;

EXCEPT the North 40 feet thereof appropriated for widening of State Street under Declaratory Resolution Number 1295-1970;

ALSO,

1.00 acre of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, the said point being situated 276 feet West of the Northeast corner of the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West, a distance of 485.1 feet; thence West, a distance of 90.55 feet; thence North 10 minutes East, a distance of 485.1 feet to the North line of the East Half of the Southeast Quarter of Section 32 Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the point of beginning;

EXCEPT the North 40 feet thereof appropriated for widening of State Street under Declaratory Resolution Number 1295-1970;

WHEREAS, Richard Daugherty and Theresa Daugherty, husband and wife, are the owners of the fee simple title to the following described real estate, to-wit:

1.08 acres of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at the Northeast corner of the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana; thence South 10 minutes West along East line of the said East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 485.1 feet; thence West a distance of 95.0 feet; thence North 10 minutes East a distance of 485.1 feet to the North line of the said East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 95.0 feet to the place of beginning;

ALSO,

1.0 acre of land in the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, the said point being situated 95.0 feet west of the Northeast corner of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence west a distance of 90.5 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning, containing 1.00 acre of land, more or less.

Subject to road rights of way for State Street and Reed Road.

WHEREAS, all of the above-described real estate is presently zoned R-1 and the Owners have petitioned the City to amend the Zoning Map of Fort Wayne by reclassifying all of the above real estate from an R-1 district to an R-3 district;

WHEREAS, The City is agreeable to such an amendment, provided the Owners will impose certain restrictive covenants upon said real estate and agree to grant to the City additional right-of-way on East State Street to permit fifty (50) feet of right of way and on Reed Road to permit fifty (50) feet of right of way for a distance of 300 feet south from its intersection with East State Street.


NOW, THEREFORE, in consideration of the premises, the parties hereto agree as follows:

1. City shall amend its Zoning Ordinance to change the zoning classification to R-3 for all of the above described Real Estate.
2. Owners covenant and agree that said Real Estate shall be and is subject to the following restriction:


Said Real Estate as herein described shall never be used for multi-family dwellings. This covenant shall run with the land for the benefit and burden of the parties hereto and their heirs, devisees, legatees, grantees, successors and assigns and of persons occupying or using said real estate under them and shall be enforceable by the CITY PLAN COMMISSION or the COMMON COUNCIL OF THE CITY OF FORT WAYNE or their successors.

3. Owners hereby agree to join in a Street Dedication granting and dedicating to the City of Fort Wayne and to the public a strip of land for street improvement purposes that will establish 50 feet of right-of-way South of the centerline of East State Boulevard and 50 feet of right-of-way West of the centerline of Reed Road for a distance of 300 feet south from its intersection with the centerline of East State.

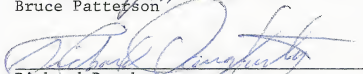
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

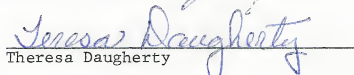
  
William D. Swift, Trustee

  
John D. Christman

  
Wayne Brockman

  
Bruce Patterson

  
Richard Daugherty

  
Theresa Daugherty

Secretary, Fort Wayne City Plan Commission

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, a Notary Public in and for said County and State, this 1st day of September, 1978, personally appeared William D. Swift, Trustee, John D. Christman, Wayne Brockman, Bruce Patterson, Richard Daugherty and Theresa Daugherty, each over the age of 18 years, and acknowledged their execution of the foregoing as their free and voluntary act and deed. Witness my hand and notarial seal.

My Commission Expires:  
January 8, 1981

Carol L. Gilbert, Notary Public  
(Resident, Allen County, Indiana)

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, a Notary Public in and for said County and State, this \_\_\_\_\_ day of September, 1978, personally appeared \_\_\_\_\_ and \_\_\_\_\_ of the Division of Long Range Planning & Zoning of the City of Fort Wayne (a/k/a City Plan Commission), and acknowledged the execution of the foregoing instrument for and on behalf of said City Plan Commission and by its authority. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:

Notary Public  
(Resident, Allen County, Indiana)

19/13/78

MADE A MATTER OF RECORD

DATE

MADE A MATTER OF RECORD

PETITION

7-78-08-09

We, the undersigned property owners in Kingston Park Addition to the city of Fort Wayne, do petition City Council not to pass Rezoning Request Z-780809. State Street from west of Mathias to Reed Road is a one family neighborhood. Retaining it as a one family neighborhood is in the best interest of both the city and residents of this area.

Changing State Street from R-1 to R-3 in the manner of the above request is "bits and pieces" zoning and does indeed represent "spot zoning." This request is made as one, however four different owners with four different intentions for land use are involved. There is no guarantee that the above zoning, if allowed, would not become high density housing.

We are in fear of finding ourselves in a high density housing and heavy traffic area. Our addition would become an island of R-1 surrounded by non-residential uses. We again urge you to vote NO to zoning request Z-780809.

NAME

ADDRESS

Gay, Helen	2007 CLARMAVIC
June K. Hansen	1929 CLARMAVIC
Paula McNamara	1939 CLARMAVIC
Ellen Lee	1921 Clarmarvic Dr.
Cheryl Lee	1921 Clarmarvic Dr.
Patricia M. Conn	915 Clarmarvic Dr.
William R. Conn	"
Richard O. Hillen	1916 Mathias St.
Alpheus Dwyer	2023 Clarmarvic Dr.
Edna Shriver	1930 Mathias St.
Clementine Montross	1930 Mathias St.
Bernie Osterhaus	2008 Mathias St.
Robert O. Osterhaus	2008 Mathias St.
Thelma Ely	2177 Mathias
Hendon Knott	2105 Mathias
Vanola Knott	2105 Mathias
Philip C. Conn	2015 MATHIAS
Edmond J. Russell	1929 Mathias
Bryce Russell	1929 Mathias
Brenda Hallman	2023 Mathias
Larry Horemson	2023 Mathias
Mayorie G. Welch	1927 Mathias
Clifford R. Welch	"
Siara L. Hehner	4315 Blair Ln.
Paul J. Hehner	4327 BLAIR LANE
Reryl Jasionowski	4327 Blair Lane
Jeanne Welch	4337 Blair Lane
Robert J. Antun	2007 Mathias



## NAME

## ADDRESS

NAME	ADDRESS
Sam G. Atterberg	4306 Charter Ln.
John E. Laibe	4323 Charter Lane.
Doris J. Laibe	4324 Charter Ln.
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Maurice N. Davis	1916 Clarmarnie Dr.
Howard E. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Thelma M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta J. Henderson	2118 Clarmarnie Drive
Walter D. Truitt	4316 BLAIR LANE
Susan C. Treida	4316 Blair Lane
Elaine Truitt	4325 Blair Lane
W. F. Truitt	4325 Blair Lane
James H. Karttoll	2101 Clarmarnie
Korsten Karttoll	2101 Clarmarnie
James A. Holman	2015 Clarmarnie Dr.
Ann Helgman	2017 Clarmarnie Dr.



10/3/78

PETITION

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We are in fear of finding ourselves in a high density housing and heavy traffic area. Our addition would become an island of R-1 surrounded by non-residential uses. We again urge you to vote NO to zoning request Z-780809.

NAME	ADDRESS
Gay, H. G. G. G.	2007 CLERMANNIC
One K. W. W. W.	1929 CLERMANNIC
Paula W. C. W. W.	1939 CLERMANNIC
Ellen Lee	1921 CLERMANNIC DR.
Cheryl Lee	1921 CLERMANNIC DR.
Laticia M. C. W.	915 CLERMANNIC DR.
Debra R. C. W.	"
Richard Phillips	1916 Mathias St.
Alpheus Dwyer	2023 CLERMANNIC DR.
Edna Shiner	1930 Mathias St.
Clementine Penton	1930 Mathias St.
Bertie O. O. O.	2008 Mathias St.
Robert O. O. O.	2008 Mathias St.
Thelma Ely	2177 Mathias
Lois Knott	2105 Mathias
Ursula Knott	2105 Mathias
Phyllis C. W.	2015 MATHIAS
Edmond J. W.	1929 Mathias
Betty Knott	1929 Mathias
Gerda Hallman	2023 Mathias
Sally Hallman	2023 Mathias
Mayorie C. Welch	1927 Mathias
William R. Welch	"
Leana L. Hehner	4315 Blair Ln.
Paul J. L.	4327 BLAIR LANE
Keryl Jesionowski	4327 Blair Lane
Joann Welch	4337 Blair Lane
Robert J. Antun	2007 Mathias

## NAME

## ADDRESS

NAME	ADDRESS
John G. Laibe	4306 Charter Lane
John E. Laibe	4323 Charter Lane
Doris J. Laibe	4324 Charter Ln
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnic Dr.
Phyllis M. Moore	1906 Clarmarnic Dr.
Naurice N. Davis	1916 Clarmarnic Dr.
Harold E. Kuppel	2008 Clarmarnic Dr.
Luella M. Kuppel	2008 Clarmarnic Dr.
Walter M. Adams	1928 Clarmarnic Dr.
Leth Adams	1928 Clarmarnic Dr.
Michael L. Dague	2024 Clarmarnic Dr.
Mary M. Dague	2024 Clarmarnic Dr.
Myron A. Henderson	2118 Clarmarnic Dr.
Loretta J. Henderson	2118 Clarmarnic Drive
Walter D. Twaie	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Elaine Twaie	4316 Blair Lane
W. F. Twaie	4328 Blair Lane
Jane N. Karcholt	2101 Clarmarnic
Karlene Karcholt	2101 Clarmarnic
James A. Hickman	2015 Clarmarnic Dr.
Ann Hickman	2017 Clarmarnic Dr.

10/3/78

PETITION

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We are in fear of finding ourselves in a high density housing and heavy traffic area. Our addition would become an island of R-1 surrounded by non-residential uses. We again urge you to vote NO to zoning request Z-780809.

NAME	ADDRESS
Gay, H. Gordon	2005 CLARMARK DR
June K. Hansen	1929 CLARMARK DR
Paula McManis	1929 CLARMARK DR
Wilbur Lee	1921 Clarmark Dr.
Cheryl Lee	1921 Clarmark Dr.
Patricia M. Conn	915 Clarmark Dr.
William R. Conn	"
Richard Phillips	1916 Mathias St.
Alpheus Dwyer	2023 Clarmark Dr.
Edna Shriver	1430 Mathias St.
Clementine Mentmon	1930 Mathias St.
Berene Osterhaus	2008 Mathias St.
Robert O. Stehens	2008 Mathias St.
Thelma Ely	2177 Mathias
Barbara Knott	2105 Mathias
Barbara Knott	2105 Mathias
Philip C. Conn	2015 MATHIAS
Edmond J. Smith	1929 Mathias
Berry Russell	1929 Mathias
Linda Hallman	2023 Mathias
Sally Hollman	2023 Mathias
Mayorie C. Welch	1927 Mathias
Clifford R. Welch	"
Arlene L. Hehner	4315 Blair Ln.
Paul J. Lee	4327 BLAIR LANE
Beryl Jesionowski	4327 Blair Lane
Joann Welch	4337 Blair Lane
Robert J. Antuan	2007 Mathias



## NAME

## ADDRESS

James G. Atterbury	4306 Charter Ln.
John E. Laibe	4323 Charter Lane
Doris J. Laibe	4324 Charter Ln
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Maurice H. Davis	1916 Clarmarnie Dr.
Howard G. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Robert M. Adams	1928 Clarmarnie Dr.
Reth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron H. Henderson	2118 Clarmarnie Dr.
Loretta F. Henderson	2118 Clarmarnie Drive
Michael D. Treier	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Elaine Franklin	4323 Blair Lane
W. L. Franklin	4323 Blair Lane
James H. Karcholt	2101 Clarmarnie
Karen Karcholt	2101 Clarmarnie
James A. Holman	2015 Clarmarnie Dr.
Ann Helgman	2007 Clarmarnie Dr.

10/13/78

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NAMEADDRESS

Yegor, H. Gerson	2007 CLERMANNIC
One K. W. Waman	1929 CLERMANNIC
Paula Mc Namara	1939 CLERMANNIC
Willis Lee	1921 Clermannic Dr.
Chloey Lee	1921 Clermannic Dr.
Patricia M. Conn	915 Clermannic Dr.
William R. Conn	"
Richard Phillips	1916 Mathias St.
Alpheus Swift	2023 Clermannic Dr.
Eva Shuice	1930 Mathias St.
Ementine Montman	1930 Mathias St.
Bertine Osterhaus	2008 Mathias St.
Karen O. Stebbins	2008 Mathias St.
Myrtle Ely	2177 Mathias
Harden Knott	2105 Mathias
Varola Knott	2105 Mathias
Phyllis C. Conn	2015 MATHIAS
Edmond J. Donnell	1929 Mathias
Berry Donnell	1929 Mathias
Gilda Hallman	2023 Mathias
Larry Holman	2023 Mathias
Mayorie C. Welch	1927 Mathias
Clifford R. Welch	"
Liana L. Hehner	4315 Blair Ln.
Paul J. Lane	4327 BLAIR LANE
Keryl Jesionowski	4327 Blair Lane
Jeanne Welch	4337 Blair Lane
Robert J. Antun	2007 Mathias



## NAME

## ADDRESS

NAME	ADDRESS
John G. Atterbury	4306 Charter Lane
John E. Laibe	4323 Charter Lane
Doris G. Laibe	4324 Charter Lane
David L. Scheres	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Naurence N. Davis	1916 Clarmarnie Dr.
Harold P. Kappel	2008 Clarmarnie Dr.
Luella W. Kappel	2008 Clarmarnie Dr.
Robert M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta F. Henderson	2118 Clarmarnie Dr.
Walter D. Treida	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Glenn Treida	4323 Blair Lane
W. P. Treida	4328 Blair Lane
James H. Karkhoff	2101 Clarmarnie
Kathleen Karkhoff	2101 Clarmarnie
James A. Helman	2015 Clarmarnie Dr.
Ann Helman	2007 Clarmarnie Dr.

10/15/78

PETITION

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We are in fear of finding ourselves in a high density housing and heavy traffic area. Our addition would become an island of R-1 surrounded by non-residential uses. We again urge you to vote NO to zoning request Z-780809.

## NAME

## ADDRESS

Lois H. Gibson	2407 CLARMARK
One K. W. Warron	1929 CLARMARK
Paula W. Warron	1929 CLARMARK
Wilbur Lee	1921 Clarmark Dr.
Cheryl Lee	1921 Clarmark Dr.
Patricia M. Conn	915 Clarmark Dr.
Debra R. Conn	"
Richard Gillson	1916 Mathias St.
Alpheus Dwyer	2023 Clarmark Dr.
Edna Shriver	1930 Mathias St.
Clementine Shriver	1930 Mathias St.
Bernie Osterhaus	2008 Mathias St.
Robert O. Osterhaus	2008 Mathias St.
Thelma Ely	2177 Mathias
Barbara Knott	2105 Mathias
Barbara Knott	2105 Mathias
Philip C. Knott	2015 MATHIAS
Edmond J. Knott	1921 Mathias
Berry Knott	1929 Mathias
Linda Hallman	2023 Mathias
Larry Hallman	2023 Mathias
Marjorie C. Welch	1927 Mathias
Clifford R. Welch	"
Arlene L. Hehner	4315 Blair Ln.
Paul J. Hehner	4327 BLAIR LANE
Beryl J. Jozonowski	4327 Blair Lane
John Welch	4337 Blair Lane
Robert J. Antum	2007 Mathias

## NAME

## ADDRESS

NAME	ADDRESS
John G. Atterbury	4306 Charter Ln.
John E. Laibe	4323 Charter Lane
Doris J. Laibe	4324 Charter Ln.
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Naurence N. Davis	1916 Clarmarnie Dr.
Howard E. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Robert M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta J. Henderson	2118 Clarmarnie Dr.
Michael D. Treide	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Elaine Treide	4328 Blair Lane
W. L. Treide	4328 Blair Lane
James H. Karschold	2101 Clarmarnie
Karl Karschold	2101 Clarmarnie
James A. Johnson	2015 Clarmarnie Dr.
Ann Helgen	2007 Clarmarnie Dr.

10/13/78

PETITION

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We are in fear of finding ourselves in a high density housing and heavy traffic area. Our addition would become an island of R-1 surrounded by non-residential uses. We again urge you to vote NO to zoning request Z-780809.

NAME	ADDRESS
Esau, H. Gagnon	2007 CLERMANNIC
June K. Gagnon	1929 CLERMANNIC
Paula McNamee	1939 CLERMANNIC
Arthur Lee	1921 CLERMANNIC DR.
Cheryl Lee	1921 CLERMANNIC DR.
Patricia M. Conn	915 CLERMANNIC DR.
William R. Conn	"
Richard Skilken	1916 Mathias St.
Alpheus Swift	2023 CLERMANNIC DR.
Edna Shuler	1430 Mathias St.
Eugene Shuler	1430 Mathias St.
Bertie Osterhaus	2008 Mathias St.
Robert O. Osterhaus	2008 Mathias St.
Thelma Ely	2177 Mathias
Harold Knott	2105 Mathias
Ursula Knott	2105 Mathias
Philip C. Knott	2015 MATHIAS
Edward J. Knott	1929 Mathias
Betty Knott	1929 Mathias
Gerda Hallman	2023 Mathias
Sally Hallman	2023 Mathias
Marjorie G. Welch	1927 Mathias
Clifford K. Welch	"
Anna L. Hehner	4315 Blair Ln.
Paul J. Hehner	4327 BLAIR LANE
Meryl Jesionowski	4327 Blair Lane
Jean Welch	4337 Blair Lane
Robert J. Antun	2007 Mathias



## NAME

## ADDRESS

NAME	ADDRESS
John E. Laibe	4306 Charter Lane
Doris J. Laibe	4323 Charter Lane
David L. Scherer	4324 Charter Ln.
Kinda L. Scherer	4342 Charter Lane
Richard P. Moore	4342 Charter Lane
Phyllis M. Moore	1906 Clarmarnic Dr.
Nanice N. Davis	1906 Clarmarnic Dr.
Harold E. Kappel	2008 Clarmarnic Dr.
Luella M. Kappel	2008 Clarmarnic Dr.
Robert M. Adams	1928 Clarmarnic Dr.
Leith Adams	1928 Clarmarnic Dr.
Michael L. Wagne	2024 Clarmarnic Dr.
Mary M. Wagne	2024 Clarmarnic Dr.
Myron A. Henderson	2118 Clarmarnic Dr.
Loretta J. Henderson	2118 Clarmarnic Drive
Walter D. Treida	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Elaine Treida	4328 Blair Lane
Walter Treida	4328 Blair Lane
James H. Karsch	2101 Clarmarnic
Kathleen Karsch	2101 Clarmarnic
James A. Hoffman	2015 Clarmarnic Dr.
Ann Helgen	2007 Clarmarnic Dr.

10/13/78

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NAME

ADDRESS

Gay H. Gagnon	2007 CLERMONT
Gene K. Gagnon	1929 CLERMONT
Paula M. Gagnon	1939 CLERMONT
Arthur Lee	1921 CLERMONT DR.
Cheryl Lee	1921 CLERMONT DR.
Patricia M. Conn	915 CLERMONT DR.
William R. Conn	"
Richard Sklar	1916 Mathias St.
Alpheus Swift	2023 CLERMONT DR.
Edna Sklar	1430 Mathias St.
Clementine Sklar	1930 Mathias St.
Bernie O. Sklar	2008 Mathias St.
Robert O. Sklar	2008 Mathias St.
Thelma Sklar	2177 Mathias
Gordon Knott	2105 Mathias
Marjorie Knott	2105 Mathias
Philip C. Knott	2015 MATHIAS
Edmond Knott	1929 Mathias
Betty Knott	1929 Mathias
Gerda Hallman	2023 Mathias
Sally Hallman	2023 Mathias
Marjorie G. Welch	1927 Mathias
Clifford G. Welch	"
Anna L. Hehner	4315 Blair Ln.
Paul J. Hehner	4327 BLAIR LANE
Meryl Jesionowski	4327 Blair Lane
John Welch	4337 Blair Lane
Robert J. Antun	2007 Mathias

## NAME

## ADDRESS

Sam. G. Atterberg	4306 Charter Lane
John E. Laibe	4323 Charter Lane
Doris G. Laibe	4324 Charter Lane
David L. Scherer	4342 Charter Lane
Kinda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Naurice N. Davis	1916 Clarmarnie Dr.
Howard E. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Negan M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Bretta J. Henderson	2118 Clarmarnie Drive
Michael D. Treia	4316 BLAIR LANE
Susan C. Treida	4316 Blair Lane
Elaine Treida	4316 Blair Lane
W. F. Treida	4325 Blair Lane
James H. Karttoll	2101 Clarmarnie
Kathleen Karttoll	2101 Clarmarnie
James A. Hokman	2015 Clarmarnie Dr.
Jan Hagman	2007 Clarmarnie Dr.

10/13/78

PETITION

We, the undersigned property owners in Kingston Park Addition to the city of Fort Wayne, do petition City Council not to pass Rezoning Request Z-780809. State Street from west of Mathias to Reed Road is a one family neighborhood. Retaining it as a one family neighborhood is in the best interest of both the city and residents of this area.

Changing State Street from R-1 to R-3 in the manner of the above request is "bits and pieces" zoning and does indeed represent "spot zoning." This request is made as one, however four different owners with four different intentions for land use are involved. There is no guarantee that the above zoning, if allowed, would not become high density housing.

We are in fear of finding ourselves in a high density housing and heavy traffic area. Our addition would become an island of R-1 surrounded by non-residential uses. We again urge you to vote NO to zoning request Z-780809.

NAME

ADDRESS

Earl H. Gibson	2005 CLERMANNIC
Joe K. Gibson	1929 CLERMANNIC
Bula McManis	1939 CLERMANNIC
Albert Lee	1921 CLERMANNIC DR.
Chas. Lee	1921 CLERMANNIC DR.
Patricia M. Conn	915 CLERMANNIC DR.
William R. Conn	"
Richard Phillips	1916 Mathias St.
Alphens Swift	2023 CLERMANNIC DR.
Edna Shuler	1930 Mathias St.
Elementine Montman	1930 Mathias St.
Burne Osterhaus	2008 Mathias St.
Robert O. Steiner	2008 Mathias St.
Agnes Ely	2177 Mathias
Harold Knott	2105 Mathias
Ursula Knott	2105 Mathias
Philip C. Conn	2015 MATHIAS
Edmond J. Threlk	1929 Mathias
Berry Threlk	1929 Mathias
Linda Hallman	2023 Mathias
Larry Hallman	2023 Mathias
Mayorie C. Welch	1927 Mathias
Clifford R. Welch	"
Liana L. Hebrer	4315 Blair Ln.
Paul J. Lane	4327 BLAIR LANE
Beryl Jesionowski	4327 Blair Lane
Joann Welch	4337 Blair Lane
Robert J. Antum	2007 Mathias

## NAME

## ADDRESS

NAME	ADDRESS
James G. Atterberg	4306 Charter Lane
John E. Laibe	4323 Charter Lane
Doris J. Laibe	4324 Charter Lane
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Marice N. Davis	1916 Clarmarnie Dr.
Harold G. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Robert M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta J. Henderson	2118 Clarmarnie Dr.
Michael D. Truitt	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Elaine Treida	4323 Blair Lane
of P. Treida	4323 Blair Lane
James H. Kartzke	2101 Clarmarnie
Karen Kartzke	2101 Clarmarnie
James A. McKenna	2015 Clarmarnie Dr.
Ann Belkman	2007 Clarmarnie Dr.

10/13/78

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NAME

ADDRESS

Gay, H. G.	2007 CLARMARKIE
June K. Korman	1929 CLARMARKIE
Paula K. Korman	1929 CLARMARKIE
Elmer Lee	1921 Clarmarkie Dr.
Cheryl Lee	1921 Clarmarkie Dr.
Patricia M. Conn	1915 Clarmarkie Dr.
William R. Conn	"
Richard Phillips	1916 Mathias St.
Alpheus Smith	2023 Clarmarkie Dr.
Edna Shivers	1430 Mathias St.
Elementine Montmon	1930 Mathias St.
Burne O. Storkus	2008 Mathias St.
Robert O. Storkus	2008 Mathias St.
Raymond Ely	2177 Mathias
Harold Knott	2105 Mathias
Wanda Knott	2105 Mathias
Phyllis Conn	2015 MATHIAS
Edmond J. Jannett	1929 Mathias
Betty Tennell	1929 Mathias
Linda Hallman	2023 Mathias
Sally Hallman	2023 Mathias
Margaret G. Welch	1927 Mathias
C. W. Welch	"
Siara L. Hebrer	4315 Blair Ln.
Paul J. Lee	4327 BLAIR LANE
Beryl Jasionowski	4327 Blair Lane
John Welch	4337 Blair Lane
Robert J. Antun	2007 Mathias

## NAME

## ADDRESS

NAME	ADDRESS
John E. Laibe	4306 Charter Lane
Doris J. Laibe	4323 Charter Lane
David L. Scherer	4324 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Naurice N. Davis	1916 Clarmarnie Dr.
Harold E. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Nileen M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta J. Henderson	2118 Clarmarnie Drive
Michael D. Treida	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Elaine Freshman	4328 Blair Lane
A. L. Freshman	4328 Blair Lane
James H. Karttoll	2101 Clarmarnie
Karlson Karttoll	2101 Clarmarnie
James G. Johnson	2015 Clarmarnie Dr.
Ian Helgman	2007 Clarmarnie Dr.

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NAME

ADDRESS

NAME	ADDRESS
Gay, H. Gerson	2007 CLARMANNIC
June K. Wanner	1929 CLARMANNIC
Paula F. Wanner	1929 CLARMANNIC
Willis Lee	1921 Clarmannic Dr.
Cheryl Lee	1921 Clarmannic Dr.
Patricia M. Conn	915 Clarmannic Dr.
Debra R. Conn	"
Richard Phillips	1916 Mathias St.
Alpheus Dwyer	2023 Clarmannic Dr.
Edna Shriver	1430 Mathias St.
Clementine Montmon	1930 Mathias St.
Bernie O. Sturkous	2008 Mathias St.
Rolene O. Sturkous	2008 Mathias St.
Thelma Ely	2177 Mathias
Gordon Knott	2105 Mathias
Marjorie Knott	2105 Mathias
Philip C. Knott	2015 MATHIAS
Edmond J. Knott	1929 Mathias
Berry Knott	1929 Mathias
Linda Hallman	2023 Mathias
Sally Hocman	2023 Mathias
Mayorie G. Welch	1927 Mathias
Clifford G. Welch	"
Liana L. Hehner	4315 Blair Ln.
Paul J. Hehner	4327 BLAIR LANE
Meryl Jesionowski	4327 Blair Lane
Jean Welch	4337 Blair Lane
Talent J. Antun	2007 Mathias

## NAME

## ADDRESS

James G. Atterbury	4306 Charter Lane
John E. Laibe	4323 Charter Lane
Loris J. Laibe	4324 Charter Lane
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard P. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Maurice N. Davis	1916 Clarmarnie Dr.
Howard P. G. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Robert M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta A. Henderson	2118 Clarmarnie Drive
Michael D. Treida	4316 Blair Lane
Susan C. Treida	4316 Blair Lane
Edna Treida	4325 Blair Lane
W. F. Treida	4328 Blair Lane
James H. Karchol	2101 Clarmarnie
Kathleen Karchol	2101 Clarmarnie
James A. Holman	2015 Clarmarnie Dr.
Jan Holman	2007 Clarmarnie Dr.

10/13/78

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Sam G. Attermy	4306 Charter Ln.
John E. Laibe	4323 Charter Lane
Doris J. Laibe	4324 Charter Ln.
David L. Scherer	4342 Charter Lane
Linda L. Scherer	4342 Charter Lane
Richard L. Moore	1906 Clarmarnie Dr.
Phyllis M. Moore	1906 Clarmarnie Dr.
Naurence N. Davis	1916 Clarmarnie Dr.
Harold L. Kappel	2008 Clarmarnie Dr.
Luella M. Kappel	2008 Clarmarnie Dr.
Walter M. Adams	1928 Clarmarnie Dr.
Leth Adams	1928 Clarmarnie Dr.
Michael L. Dague	2024 Clarmarnie Dr.
Mary M. Dague	2024 Clarmarnie Dr.
Myron A. Henderson	2118 Clarmarnie Dr.
Loretta L. Henderson	2118 Clarmarnie Dr.
Michael D. Trade	4316 BLAIR LANE
Susan C. Treida	4316 Blair Lane
Eloise Freshman	4328 Blair Lane
A. L. Freshman	4328 Blair Lane
Jane H. Karttoll	2101 Clarmarnie
Kathleen Karttoll	2101 Clarmarnie
James A. Holman	2015 Clarmarnie Dr.
Ram Hilgman	2007 Clarmarnie Dr.

NAME

ADDRESS

NAME	ADDRESS
Eggy, H. Cyman	2007 CLARMARKIC
Paul K. Waman	1929 CLARMARKIC
Paula McNamara	1929 CLARMARKIC
Wilbur Lee	1921 Clarmarkic Dr.
Cheryl Lee	1921 Clarmarkic Dr.
Laticia M. Conn	1915 Clarmarkic Dr.
Dorian K. Conn	"
Richard Phillips	1916 Mathias St.
Alpheus Swift	2023 Clarmarkic pr
Edna Shivers	1930 Mathias St.
Clementine Montmon	1930 Mathias St.
Bertie Osterhaus	2008 Mathias St.
Robert O. Osterhaus	2008 Mathias St.
Myrtle Ely	2177 Mathias
Harold Knott	2105 Mathias
Marjula Knott	2105 Mathias
Philip C. Conn	2015 MATHIAS
Edmond J. Tinnell	1929 Mathias
Berry Tinnell	1929 Mathias
Linda Hallman	2023 Mathias
Sally Hallman	2023 Mathias
Marjorie C. Welch	1927 Mathias
Clifford K. Welch	"
Anna L. Hehner	4315 Blair Ln.
Paul J. Hehner	4327 BLAIR LANE
Cheryl Jesionowski	4327 Blair Lane
Joann Welch	4337 Blair Lane
Robert J. Antunin	2007 Mathias

4152

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment **3-78-08-09**

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Part of the East Half of the Southeast Quarter  
of Section 32, Township 31 North, Range 13 East, in Allen County,  
Indiana.

EFFECT OF PASSAGE Property is presently zoned R1 District - One Family  
Residential. Property will become R3 District - Multiple Family  
Residential.

EFFECT OF NON-PASSAGE Property will remain R1 District - One Family  
Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

*Ray*



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 27, 1978

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 31, 1978 and November 7, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Zoning Map Ordinances:

Bill No. Z-78-08-09  
Zoning Map Ordinance No. Z-23-78

Bill No. Z-78-08-34  
Zoning Map Ordinance No. Z-24-78

Bill No. Z-78-09-12  
Zoning Map Ordinance No. Z-25-78

Bill No. Z-78-09-13  
Zoning Map Ordinance No. Z-26-78

Please send us 14 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne  
ENCL:1

AN EQUAL OPPORTUNITY EMPLOYER



### LEGAL NOTICE

Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-08-09 -- Zoning Map Ordinance No. Z-23-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-08-34 -- Zoning Map Ordinance No. Z-24-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-27.

Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-09-12 -- Zoning Map Ordinance No. Z-25-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-09-13 -- Zoning Map Ordinance No. Z-26-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-34

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-78-08-09 -- Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34 ---- Zoning Map Ordinance No. Z-24-78; Bill No. Z-78-09-12 --- Zoning Map Ordinance No. Z-25-78; Bill No. Z-78-09-13 --- Zoning Map Ordinance No. Z-26-78; were passed by the Common Council on the 24th day of October, 1978, and said Ordinances were duly signed and approved by the Mayor on the 26th day of October, 1978, and now remains on file and on record in my office.

Copies of said Bill No. Z-78-08-09 -- Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34 --- Zoning Map Ordinance No. Z-24-78; Bill No. Z-78-09-12 --- Zoning Map Ordinance No. Z-25-78; and Bill No. Z-78-09-13 --- Zoning Map Ordinance No. Z-26-78, are posted in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House.

Copies of said Bill No. Z-78-08-09 -- Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34 --- Zoning Map Ordinance No. Z-24-78; Bill No. Z-78-09-12 --- Zoning Map Ordinance No. Z-25-78; and Bill No. Z-78-09-13 --- Zoning Map Ordinance No. Z-26-78, are posted in the following places in Fort Wayne, Allen County, Indiana.

- (4) The Reference Room in the north end of the main floor in said Downtown Public Library
- (5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

  
Charles W. Westerman  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as stated above on October 31, 1978.

  
Charles W. Westerman  
City Clerk



Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

92

2

94

## COMPUTATION OF CHARGES

94 lines, 1 columns wide equals 94 equivalent lines at .2594  
cents per line

\$ 24.35

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

6.00

for extra proofs of publication (50 cents for each proof in excess of two)

\$ 30.35

TOTAL AMOUNT OF CLAIM

PRINTING COST

9.9  
single column 11 ems

Size of type 5 1/2 point

of insertions 2

Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

If the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

Arvilla DeWald

CLERK

Title

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

10/31 &amp; 11/7/78

Subscribed and sworn to before me this 7th day of November 1978

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-08-34—Zoning Map Ordinance No. Z-23-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14.

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I, Charles W. Westerman, Clerk of the City of Fort Wayne Indiana do hereby certify that Bill No. Z-78-08-09—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78; Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78; Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-26-78; were passed by the Common Council on the 24th day of October, 1978, and said Ordinances were duly signed and approved by the Mayor on the 24th day of October, 1978, and now remains on file and on record in my office.

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Charles W. Westerman  
City Clerk  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated above on October 31, 1978.  
Charles W. Westerman  
City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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Tail number of lines

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96

## COMPUTATION OF CHARGES

96 lines, 1 columns wide equals 96 equivalent lines at .2594  
cents per line

\$ 24.35

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

6.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 20.35

TOTAL AMOUNT OF CLAIM

## DATA FOR COMPUTING COST

Width of single column 9.9  
inches

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date November 7, 1978

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

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a DAILY newspaper of general circulation printed and published

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Notary Public

My commission expires September 28, 1979

H COPY OF  
EMENT HERECouncil Proceedings in the Office of  
the City-County Building, Fort  
Wayne, Indiana.Charles W. Westerman  
City ClerkI, Charles W. Westerman, Clerk of  
the City of Fort Wayne, Indiana, ful-  
filled and posted the above ordi-  
nances in the designated places as  
stated above on October 31, 1978.Charles W. Westerman  
City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Total number of lines in notice

## COMPUTATION OF CHARGES

94 lines, 1 columns wide equals 94 equivalent lines at 26¢  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

## DATA FOR COMPUTING COST

Width of single column 12 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 7, 1978

Title CLERK

2B FORT WAYNE NEWS-SENTINEL Tues., Oct. 31, 1978

Legal Notice	Legal Notice	Legal Notice	Legal Notice	Legal Notice
Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-08-09—Zoning Map Ordinance No. Z-23-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14.	did pass the following Bill No. Z-78-08-34—Zoning Map Ordinance No. Z-24-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. W-27.	1. Charles W. Westernman, Clerk of the City of Fort Wayne Indiana do hereby certify that Bill No. Z-78-08-09—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78; Bill No. Z-78-09-13—Zoning Map Ordinance No. Z-25-78; were passed by the Common Council on the 24th day of October, 1978, and said Ordinances were duly signed and approved by the Mayor on the 26th day of October, 1978, and now remains on file and on record in my office.	posted in the following places in Fort Wayne, Allen County, Indiana: (1) The main floor lobby of the City-County Building (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library (3) The bulletin board in the lobby at the East door of the Allen County Court House.	Council Proceedings in the Office of the City-County Building, Fort Wayne, Indiana. Charles W. Westernman City Clerk
Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34.	Notice is hereby given that on the 24th day of October, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-34.	Copies of said Bill No. Z-78-08-09—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78; and Bill No. Z-78-09-13—Zoning Map Ordinance No. Z-25-78, are posted in the following places in Fort Wayne, Allen County, Indiana: (4) The Reference Room in the north end of the main floor in said Downtown Public Library. (5) The Journal of the Common	Copies of said Bill No. Z-78-08-09—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-08-34—Zoning Map Ordinance No. Z-23-78; Bill No. Z-78-09-12—Zoning Map Ordinance No. Z-25-78; and Bill No. Z-78-09-13—Zoning Map Ordinance No. Z-25-78, are posted in the following places in Fort Wayne, Allen County, Indiana: (4) The Reference Room in the north end of the main floor in said Downtown Public Library. (5) The Journal of the Common	1. Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated above on October 31, 1978. Charles W. Westernman City Clerk

ATT  
ADVER

NE, INDIANA

attached hereto is a true copy.  
the dates of publication being

Subscribed and sworn to before me this 7th day of November 1978

Notary Public

My commission expires September 28, 1979

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

94 lines, 1 columns wide equals 94 equivalent lines at .25¢ cents per line

\$ 24.35

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

6.00

TOTAL AMOUNT OF CLAIM

\$ 30.35

DATA FOR COMPUTING COST

Width of single column 12 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. GERKEN

Date November 7, 1978

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says

that she is CLERK of the

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

10/31 & 11/7/78

V. E. GERKEN

Subscribed and sworn to before me this 7th day of November 1978

Notary Public

My commission expires September 28, 1979

# Abolishes Red Guard

ina has formally  
d youth organiza-  
airman Mao Tse-  
ol teachers and  
a the 1960s, the

will revert to its pre-cultural revolution  
name of Communist Youth League, the  
paper said.

Its new goals will be to improve young  
people's school performance, strengthen  
dies through physical education,  
ke them "the successors in the  
ist movement."

Chinese movement for chil-  
der 14, known since the mid 1960s  
Little Red Soldiers "will recruit

continuing revolution. A  
olution should be conti-  
keep entrenched burea-  
nomic interests from  
government.

The Red Guards were  
bully factory manager  
ministrators, and even  
officials. Its victims w  
language, courts, name